

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 09, 2018

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender:	Jesus Cornelio	Case Number:	0980 2:13CR02090-SMJ-1
Address of Offender:			Yakima, Washington 98902
Name of Sentencing Judicial Officer:	The Honorable Salvador Mendoza, U.S. District Judge		
Date of Original Sentence:	November 17, 2014		
Original Offense:	Distribution of Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)©		
Original Sentence:	Prison - 30 months; TSR - 36 months	Type of Supervision:	Supervised Release
Revocation Sentence Date: March 15, 2017	Prison - 6 months; TSR - 30 months		
Asst. U.S. Attorney:	Ben Seal	Date Supervision Commenced:	August 25, 2017
Defense Attorney:	Jeffrey S. Dahlberg	Date Supervision Expires:	February 24, 2020

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on December 13, 2017.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
3	<u>Special Condition # 6:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Cornelio failed to submit to random urinalysis testing at Merit Resource Services (Merit) on December 26, 2017.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of special condition number 6, which requires him to submit to urinalysis testing. On August 28, 2017, Mr. Cornelio was provided with urinalysis reporting instructions. He was referred to Merit color line for random drug testing. His instructions are to call the color line daily and to report when his color is called. In this case, Mr. Cornelio failed to report to Merit on December 26, 2017, for random drug testing.

Re: Cornelio, Jesus

January 9, 2018

Page 2

- 4 **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when to report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: Mr. Cornelio failed to report to the U.S. Probation Office as directed on January 2, 2018.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of standard condition number 2, which requires him to follow the instructions of the probation officer. On December 29, 2017, after his initial appearance, Mr. Cornelio was directed to report to the probation office on January 2, 2018. Mr. Cornelio failed to report as instructed.

- 5 **Special Condition # 5:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Cornelio has been terminated from drug and alcohol treatment at Merit as of January 3, 2018.

On August 25, 2017, supervised release conditions were reviewed and signed by Mr. Cornelio acknowledging his understanding of special condition number 5, which requires him to participate in a substance abuse treatment program. On January 4, 2018, contact was made with Mr. Cornelio's counselor at Merit regarding his treatment status. The counselor reported Mr. Cornelio failed to attend treatment on December 26, 2017. As a result of this absence, a letter was sent to Mr. Cornelio in an attempt to re-engage him in treatment services requesting he respond by January 3, 2018. Mr. Cornelio again failed to attend treatment on January 2, 2018, and also failed to respond to the letter. Mr. Cornelio was terminated from treatment at Merit on January 3, 2018, and his file has been closed.

The U.S. Probation Office respectfully recommends the Court incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 9, 2018

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

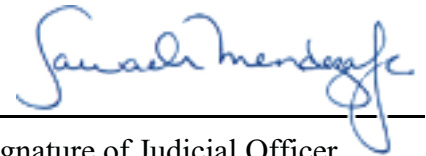
Re: Cornelio, Jesus

January 9, 2018

Page 3

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

01/09/2018

Date